IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WA.No. 1369 of 2007

AGAINST THE JUDGEMENT IN WPC.16452/2007 DATED 30th MAY, 2007

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APPELLANT/ PETITIONER:

THOMAS, S/O. GEORGE,
AGED 40 YEARS, SRAMBICKAL HOUSE, MAYAPPARA KARA,
AKAMALAVARAM, AANAKKALLU P.O., MALAMPUZHA VILLAGE,
PALAKKAD DIST.

BY ADV. SRI.T.V.GEORGE
SMT.LINDA GEORGE
SRI.K.N.BALACHANDRA KAIMAL

RESPONDENTS/RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE REVENUE SECRETARY,
GOVT. SECRETARIAT, TRIVANDRUM.

2. DISTRICT COLLECTOR,
CIVIL LINES, PALAKKAD.

3. TAHSILDAR,
TALUK OFFICE, PALAKKAD.

4. VILLAGE OFFICER,
VILLAGE OFFICE, MALAMPUZHA-I, PALAKKAD.

BY SR. GOVERNMENT PLEADER SMT. R. MEERA.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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W.A. No.1369 OF 2007

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Dated this the 2nd July, 2007

J U D G M E N T

H.L. Dattu, C.J.:

The petitioner/appellant calls in question the correctness or otherwise of the orders passed by the learned single Judge in W.P.(C) 16452 of 2007 dated 30th May, 2007. By the impugned order, the learned single Judge has only observed that, if for any reason, the petitioner/appellant is aggrieved by Ext. P5 communication issued by the respondents under the provisions of the Kerala Land Conservancy Act, he has a right of appeal.

2. The learned counsel appearing for the appellant is not in a position to point out any error in the order passed by the learned Single Judge. Therefore, in our view, no exception can be taken to the orders passed by the learned single Judge. Accordingly, the appeal requires to be rejected and it is rejected.

3. At this juncture, the learned counsel appearing for the petitioner/appellant would submit that he may be permitted to file an appropriate appeal, as directed by this Court against Ext. P5

communication issued by the respondents, within a particular time.

4. The request of the learned counsel is reasonable. If it is granted, no prejudice or inconvenience would be caused to the respondents. Accordingly, the following:

O R D E R

i) Writ Appeal is disposed of.

ii) The petitioner/appellant is permitted to file an appropriate appeal against Ext. P5 communication issued by the respondents, if he so desires, within a period of two weeks from today.

iii) For a further period of two weeks, the interim order granted by this court (in W.P.(C) 16452 of 2007) will enure to the benefit of the petitioner/appellant.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

lk/DK.